

Remarks

Claims 1, 7-9 and 26 have been amended, and new claims 27-41 have been added. Review and reconsideration in view of the amendments and the remarks below are respectfully requested.

Claim 7 is objected to on the basis that the phrase "said pivot line" lacks antecedent basis. Accordingly, claim 7 has been amended to change the "pivot line" to "hinge line," which has antecedent basis. Claim 9 has also been amended to correct a typographical error.

Claims 1, 2, 4-7, 10-24 and 26 are rejected as being obvious over U.S. Pat. No. 2,778,397 to Carrasco in view of U.S. Pat. No. 6,837,346 to Hollingsworth. Claims 3, 8, 9 and 25 are objected to and indicated to be allowable if rewritten in independent form. Accordingly, the subject matter of claim 3 has been substantially included in claim 1, and claim 3 has been canceled. The wording of claim 3 has been modified slightly to improve the readability of claim 1, but is not believed to effect the allowability of that claim.

In addition, the subject matter of claim 3 has been generally incorporated into independent method claim 26. However, claim 26 has been amended to change the term "cover" to "generally planar component" to ensure any improper construction of the term "cover" to mean an outer-most component since the front cover 12 in an illustrated embodiment of the invention is actually positioned between the front panel 40 of the pocket and the rear cover 14. It is submitted that this amendment does not add any new matter since claim 26 already specified that the covers are "generally flat and planar." Finally, claim 8 has been re-cast in independent form. Accordingly, it is submitted that each of claims 1, 8 and 26 define over the cited references.

The rejection of independent claim 22 is respectfully traversed. More particularly, claim 22 specifies that the binder includes first and second covers, with the first cover including an opening and having first and second sides. Claim 22 also specifies that the binder includes a pocket coupled to the first cover and generally received in the opening. The pocket includes a first panel and a second panel defining a pocket cavity therebetween. The first panel (i.e., see, in one embodiment, panel 40 of Fig. 2) is releasably attached to the first side of the first cover (12) (i.e., see, in one embodiment, by a zipper 54). Claim 22 also specifies that the second panel (i.e., see, in one embodiment, panel 42 of Fig. 4) is releasably attachable to the second side of the first

cover (i.e., see, in one embodiment, hook-and-loop patches 64, 66 in Fig. 4). Thus, claim 22 specifies that the first and second panels of the pocket are attachable to opposite sides of the first cover.

In contrast, the panels 28, 86 of the pocket shown in Fig. 2 of Hollingsworth are not coupled to opposite sides of the front cover 16. Instead, panel 86 is coupled to the panel 28, which is in turn coupled to the front cover 16.

It is possible that the Office action may be taking the position that through a variety of indirect connections, the subject matter of claim 22 is shown in Hollingsworth. Accordingly, new claim 32, which depends from claim 22, has been added. New claim 32 specifies that the first panel is directly releasably attachable to the first side of the first cover, and that the second panel is directly releasably attachable to the second side of the first cover.

New independent claim 34 has been added. Claim 34 specifies that the binder includes a generally planar cover, and a component pivotally coupled to the cover, the component having an opening (i.e., see, in one embodiment, opening 34 of Fig. 6 and Fig. 4). Claim 34 specifies that a pocket is positioned within the opening, wherein the pocket includes an outer pocket panel and an inner pocket panel (i.e., see, in one embodiment, panels 40 and 42 in Fig. 4) defining a pocket cavity therebetween.

The inner pocket panel is specified to be positioned on the inner side of the component, and the outer panel is positioned on an opposite outer side of the component. The inner pocket panel is specified to include a protruding portion that protrudes beyond the opening to prevent the inner pocket panel from being pulled through the opening. This feature is described at, for example, page 4, lines 22-28 of this application.

In contrast, the pocket system of the Hollingsworth reference does not appear to disclose the subject matter of claim 34. For example, the inner panel of the pocket 86 does not include any protruding portion that prevents the inner pocket 86 from being pulled through the opening 30. In fact Fig. 2 of Hollingsworth shows the pocket pulled through the opening. Thus, it is submitted that claim 34 defines over the cited references.

New claim 35 depends from claim 34 and specifies that the inner pocket portion is larger than the opening around generally the entire perimeter thereof.

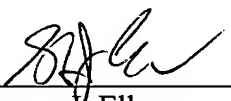
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Amendment

New claim 36 depends from claim 34 and specifies that the outer panel has generally the same outer dimensions as the component (i.e., see, in one embodiment, outer panel 40 and component 12 of Fig. 1). New claims 37 and 38 specify that the binder includes a binding mechanism, and that the component is generally flat and planar, respectively. New claim 39 depends from claim 34 and includes subject matter similar to that of claim 3 which is indicated to include allowable subject matter. New dependent claim 40 specifies the position of the inner pocket panel. New dependent claims 27-31 and 33 further distinguish over the cited references.

Accordingly, it is submitted that the application is in a condition for allowance, and a formal notice thereof is respectfully solicited.

The applicant(s) hereby authorizes the Commissioner under 37 C.F.R. §1.136(a)(3) to treat any paper that is filed in this application which requires an extension of time as incorporating a request for such an extension. The Commissioner is authorized to charge any additional fees required by this paper or to credit any overpayment to Deposit Account No. 20-0809.

Respectfully submitted,



Steven J. Elleman
Reg. No. 41,733

THOMPSON HINE LLP
2000 Courthouse Plaza NE
P. O. Box 8801
Dayton, Ohio 45401-8801
(937) 443-6838

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